

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-21 are pending in the present application. Claims 1, 16-18 and 20 are amended by the present amendment.

Claim amendments find support in the specification as originally filed, at least at page 7, lines 17-25. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 5, 9, 10, 15 and 18-21 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,178,562 to Elkins; and Claims 2-4, 6-8, 11-14, 16 and 17 were indicated as allowable if rewritten in independent form.

Applicants gratefully acknowledge the indication of allowable subject matter, and respectfully traverse the rejection.

Claim 1 is directed to an air conditioning garment that includes, *inter alia*, an inner layer of an air-permeable three dimensional netting structure enclosed between two layers of substantially air-impermeable fabric. One of the two fabric layers, which faces the body wearing the garment, includes plural openings directed toward predetermined locations on the body. The garment also includes an inlet connecting the inner layer to an air source. Independent Claims 18 and 20 includes similar features.

In a non-limiting example, Applicant's Figure 1 shows a cross-section view of a portion of an air conditioning garment having the claimed features. The garment includes an intermediate air-permeable three-dimensional netting or mesh layer 2 (e.g., three dimensional netting structure) that is sandwiched between two layers 4/6 of impermeable or semi-impermeable fabric (e.g., two layers of substantially air-impermeable fabric). Layer 4, which faces the wearer's body 25, includes plural openings 8 directed to the wearer's body. Further, an opening 15 (e.g., inlet) connects the intermediate layer 2 to a conditioned air source.

As described in the specification, the conditioned air is advantageously distributed uniformly throughout the air-permeable three dimensional mesh layer (e.g., woven or knitted fabric). Thus, the present arrangement allows free passage of air through the air-permeable three dimensional mesh layer and thus throughout the garment without any risk of blocking air passages when the garment is folded, twisted or tightened against the wearer's body, for example, when the wearer is moving or wearing an automobile seatbelt.¹

Applicants respectfully submit that Elkins does not teach or suggest each feature of the independent claims. For example, Elkins fails to describe any three dimensional air permeable netting structure enclosed between two layers of substantially air-impermeable fabric. Elkins describes a garment that includes a heat exchanger, a cross-section of which is shown in FIG. 6. According to Elkins, the heat exchanger includes a liquid filled bladder, created in the space between layers 32 and 33, and an air filled bladder, created in the space between layers 31 and 32.² In other words, Elkins describes two bladders having a common inner layer 32, and outer layers 31/33. According to Elkins, the common inner layer 32, which separates the air filled bladder from the liquid filled bladder, "is selected to be impermeable to the gas [e.g., air] used for pressurization."³ In other words, Elkins indicates that an inner layer 32 is impermeable to air. Accordingly, Elkins fails to teach or suggest any "air-permeable three-dimensional netting structure enclosed between two layers of substantially air-impermeable fabric," as recited in Claim 1 and as similarly recited in independent Claims 18 and 20.

Further, Elkins describes an "intricate pattern" along the peripheral edge of the bladder, so that when the bladder is assembled and curved to fit the shape of a head, the intricate peripheral edges (e.g., edges 34)

¹ Specification at page 7, lines 18-25.

² Elkins at column 4, lines 13-63.

³ Elkins at column 4, lines 37-38.

will intermesh lengthwise with one another. This intermeshing is facilitated by furnishing the border of each of the adjacent edges with curvilinear ripples, each of which has a length considerably shorter than the total length of the side edge to be intermeshed.⁴

Thus, the “intermeshing” described by Elkins allows sections of the bladder to be joined (i.e., intermeshed) together lengthwise to conform to the shape of a head, and Elkins does not indicate that the “intermeshing” includes any mesh or netting structure. Accordingly, Elkins fails to teach or suggest any “air-permeable three-dimensional netting structure,” as recited in Claim 1 and as similarly recited in independent Claims 18 and 20.

Accordingly, Applicants respectfully submit that independent Claims 1, 18 and 20, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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⁴ Elkins at column 1, lines 60-64.